

\*\*E filed 12/22/06\*\*

JERRY BUDIN (Cal. State Bar No. 88539)  
LAW OFFICE OF JERRY BUDIN  
1500 J Street, Second Floor  
Modesto, California 95354  
Telephone: (209) 544-3030  
Facsimile: (209) 544-3144  
E-mail: [jerrybudin@msn.com](mailto:jerrybudin@msn.com)

Attorneys for Plaintiffs  
Herbert Cevallos, Javier Castaneda, and Carolina Zavala

JEFFREY D. WOHL (Cal. State Bar No. 96838)  
PAUL, HASTINGS, JANOFSKY & WALKER LLP  
55 Second Street, 24th Floor  
San Francisco, California 94105  
Telephone: (415) 856-7000  
Facsimile: (415) 856-7100  
E-mail: [jeffwohl@paulhastings.com](mailto:jeffwohl@paulhastings.com)

STEPHEN H. HARRIS (Cal. State Bar No. 184608)  
PAUL, HASTINGS, JANOFSKY & WALKER LLP  
515 South Flower Street, 25th Floor  
Los Angeles, California 90071  
Telephone: (213) 683-6000  
Facsimile: (213) 627-0705  
E-mail: [stephenharris@paulhastings.com](mailto:stephenharris@paulhastings.com)

Attorneys for Defendant  
Sodexo, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

HERBERT CEVALLOS, JAVIER  
CASTANEDA, CAROLINA ZAVALA,  
individually and on behalf of all others  
similarly-situated,

Plaintiffs,

vs.

SODEXHO, INC. and DOES  
1 through 100,

Defendants.

No. C-05--01671-JF

**STIPULATION AND ~~[PROPOSED]~~—  
ORDER RE: DISMISSAL AND JANUARY  
12, 2007 STATUS CONFERENCE**

**STIPULATION**

Plaintiffs Herbert Cevallos, Javier Castaneda, and Carolina Zavala and defendant Sodexho, Inc., acting through their respective counsel of record, hereby stipulate as follows:

1. This action, *Cevallos v. Sodexho, Inc.*, U.S.D.C., N.D. Cal., No. C-05-1671-JF (“*Cevallos*”), and a related action, *Herrera v. Sodexho, Inc.*, U.S.D.C., N.D. Cal., No. C-05-1247-JF (“*Herrera*”), both are currently pending before this Court. A status conference in both actions is scheduled for Friday, January 12, 2007.

2. In December 2005, the parties settled both the *Cevallos* and the *Herrera* actions. In order to avoid disputes over this Court’s authority to approve the class action settlement (the parties disputed this Court’s subject matter jurisdiction), the parties requested that this Court delay further proceedings so that the plaintiffs in both actions could file a settlement action in Alameda County Superior Court, which they did (*Cevallos, et al., v. Sodexho, Inc.*, Case No. RG06268867 (the “State Court Action”)).

3. On October 19, 2006, the Alameda County Superior Court granted final approval to the class action settlement in the State Court Action, thereby resolving all claims herein. A copy of the final approval order is attached as Exhibit A for the Court’s reference.

4. Pursuant to the settlement and Federal Rule of Civil Procedure 41(a)(1), the parties hereby stipulate by and through their designated counsel of record that the above-captioned action be and hereby is dismissed with prejudice, with each side to bear its own fees and costs.

5. The parties further believe there is good cause, and on that basis request, that the January 12, 2007 Status Conference be vacated.

1 Dated: December 21, 2006.

JERRY BUDIN  
LAW OFFICE OF JERRY BUDIN

2  
3 By: /s/ Jerry Budin

4 Jerry Budin  
5 Attorney for Plaintiffs  
6 Herbert Cevallos, Javier Castaneda, and  
7 Carolina Zavala

8 Dated: December 21, 2006.

JEFFREY D. WOHL  
STEPHEN H. HARRIS  
PAUL, HASTINGS, JANOFSKY & WALKER, LLP

9  
10 By: /s/ Stephen H. Harris

11 Stephen H. Harris  
12 Attorney for Defendant,  
13 Sodexho, Inc.  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Based on the parties' stipulation, and good cause appearing therefor,

IT IS ORDERED that this action is DISMISSED WITH PREJUDICE, with each party to bear its own fees and costs and the January 12, 2007, status conference be and hereby is VACATED.

Dated: December 22\_\_, 2006.

  
\_\_\_\_\_  
Jeremy Fogel  
United States District Judge